THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.14731 OF 1999

DATED: 24-04-2007

Between :

Mula Ramanaiah … Petitioner

And

1. The Revenue Divisional Officer, Palvoncha, Khammam District., and another. .. Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.14731 OF 1999

ORDER :

The petitioner herein claims title and possession in respect of a house site admeasuring 9 ½ cents in Sy.No.138/1418, APSEB Station Road, Bandarugudem Village, Manuguru Mandal, Khammam District having purchased the same from one Smt. Uma Devi under a Sale Deed dated 20-4-1997. It is stated that the land in question forms part of agency tract and the petitioner being a Scheduled Tribe wanted to raise a hut on the land in question. However, the respondents did not allow the petitioner to construct the house as proposed and attempted to dispossess from the house site in question without there being any justifiable reason. Hence, this writ petition seeking a declaration that the alleged action of the respondents in interfering with the peaceful possession and enjoyment of the petitioner in respect of the house site in question as arbitrary and illegal.

Pursuant to Rule Nisi ordered, the Mandal Revenue Officer, Manuguru filed a counter-affidavit stating that the writ petitioner is not a resident of Bandarugudem Village and his whereabouts are not known . It is further stated that as per the revenue records the land in question stands in the name of Sri Kollu Ramulu who was assigned Ac.1-32 cents of land in Sy.No.138/1418 long back, and that Smt. Uma Devi from whom the petitioner claims to have purchased the land in question has nothing to do with the same.

The petitioner has not filed any affidavit-in-reply contradicting the version of the respondents in their counter-affidavit nor

any other material is placed before this Court to establish the title and possession claimed by the petitioner.

In the circumstances, the *Writ of Mandamus* as prayed for cannot be granted.

Accordingly, the Writ Petition is dismissed. No costs.

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G. ROHINI, J.

Dt.24–04-2007

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